

Pro Se 7 (Rev. 12/16) Complaint for Employment Discrimination

UNITED STATES DISTRICT COURT

for the

EASTERN District of CALIFORNIA

FRESNO Division

FILED

JAN 29 2021

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY 02
DEPUTY CLERK

1525 E. Greenwich, #230
Fresno, CA 93720

VADEN ANDERSON

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

AMAZON.COM, INC
AMAZON.COM, LLC
GOLDEN STATE FC, LLC

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Case No.

1:21-CV-00127-NONE-BAM

(to be filled in by the Clerk's Office)

Jury Trial: (check one) ☒ Yes ☐ No

COMPLAINT FOR EMPLOYMENT DISCRIMINATION

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

"SEE ATTACHED"

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name "SEE ATTACHED"

Job or Title *(if known)*

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address *(if known)*

Defendant No. 2

Name "SEE ATTACHED"

Job or Title *(if known)*

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address *(if known)*

Defendant No. 3

Name "SEE ATTACHED"

Job or Title *(if known)*

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address *(if known)*

Defendant No. 4

Name "SEE ATTACHED"

Job or Title *(if known)*

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address *(if known)*

IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

FRESNO DIVISION

VADEN ANDERSON,

Plaintiff,

vs.

AMAZON.COM, INC.
AMAZON.COM, LLC.
CORPORATION SERVICE COMPANY
251 LITTLE FALLS DRIVE
WILMINGTON, DELAWARE 19808

GOLDEN STATE FC, LLC
202 WESTLAKE AVE N
SEATTLE, WASHINGTON 98109

GOLDEN STATE FC, LLC
3575 SOUTH ORANGE AVE
FRESNO, CALIFORNIA 93725

MISSY BROST
PREVIOUS TITLE: AMAZON FULFILLMENT
CENTER REGIONAL DIRECTOR OF OPERATIONS
2000 E IMPERIAL HIGHWAY
EL SEGUNDO, CALIFORNIA 90245

BEN GREGORY
TITLE: AMAZON FULFILLMENT CENTER LOSS
PREVENTION MANAGER
3575 SOUTH ORANGE AVE.
FRESNO, CALIFORNIA 93725
BGREGO@AMAZON.COM

DANIEL BUCHINO
TITLE: AMAZON FULFILLMENT CENTER
INFORMATION TECHNOLOGY MANAGER
1001 WEST FOURTH STREET
BEAUMONT, CALIFORNIA 92223
DBUCHIN@AMAZON.COM

TYLER LINDSTROM
TITLE: AMAZON FULFILLMENT CENTER
SENIOR HUMAN RESOURCES MANAGER
3575 SOUTH ORANGE AVE.
FRESNO, CALIFORNIA 93725
TYLLINDS@AMAZON.COM

CIVIL ACTION NO.

**PROVABLE FACTUAL COMPLAINT FOR
EGREGIOUS EMPLOYMENT DISCRIMINATION**

IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

FRESNO DIVISION

DEANNA FLORES ZELLOUS
TITLE: AMAZON FULFILLMENT CENTER
SENIOR HUMAN RESOURCES BUSINESS
PARTNER
3575 SOUTH ORANGE AVE.
FRESNO, CALIFORNIA 93725
FLODEANN@AMAZON.COM

JASBIR GURM
TITLE: AMAZON FULFILLMENT CENTER
FULFILLMENT ASSOCIATE
6230 EAST BELLAIRE WAY
FRESNO, CALIFORNIA 93727

MATTHEW AKERS
TITLE: AMAZON FULFILLMENT CENTER
HUMAN RESOURCES MANAGER
3575 SOUTH ORANGE AVE.
FRESNO, CALIFORNIA 93725
AKERSM@AMAZON.COM

JUAN RAMIREZ
PREVIOUS TITLE: AMAZON FULFILLMENT
CENTER LOSS PREVENTION SPECIALIST
1650 WEST VISALIA PARKWAY
VISALIA, CALIFORNIA 93277

ADAM PETRINI
TITLE: AMAZON FULFILLMENT CENTER
INFORMATION TECHNOLOGY ENGINEER
8000 NORTH VIRGINIA STREET
RENO, NEVADA 89506
PETRINIA@AMAZON.COM

Defendants.

C. Place of Employment

The address at which I sought employment or was employed by the defendant(s) is

Name	Amazon.com, Inc and Golden State FC, LLC
Street Address	3575 S. Orange Ave
City and County	Fresno County
State and Zip Code	California 93720
Telephone Number	559-721-4498

II. Basis for Jurisdiction

This action is brought for discrimination in employment pursuant to *(check all that apply)*:

- ☒ Title VII of the Civil Rights Act of 1964, as codified, 42 U.S.C. §§ 2000e to 2000e-17 (race, color, gender, religion, national origin).

(Note: In order to bring suit in federal district court under Title VII, you must first obtain a Notice of Right to Sue letter from the Equal Employment Opportunity Commission.)

- ☐ Age Discrimination in Employment Act of 1967, as codified, 29 U.S.C. §§ 621 to 634.

(Note: In order to bring suit in federal district court under the Age Discrimination in Employment Act, you must first file a charge with the Equal Employment Opportunity Commission.)

- ☒ Americans with Disabilities Act of 1990, as codified, 42 U.S.C. §§ 12112 to 12117.

(Note: In order to bring suit in federal district court under the Americans with Disabilities Act, you must first obtain a Notice of Right to Sue letter from the Equal Employment Opportunity Commission.)

- ☒ Other federal law *(specify the federal law)*:

Retaliation:

Title VII of the Civil Rights Act of 1964, as codified, 42 U.S.C. 2000e to 2000e-17; Title V of the Americans with Disabilities Act; and Section 501 of the Rehabilitation Act of 1973.

- ☒ Relevant state law *(specify, if known)*:

(Cal Gov. Code Sec 12940, et seq.) (Cal Gov. Code 12940(k);
(Wrongful Termination In Violation of Public Policy).

- ☒ Relevant city or county law *(specify, if known)*:

(Wrongful Termination In Violation of Public Policy).

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

A. The discriminatory conduct of which I complain in this action includes *(check all that apply)*:

- ☐ Failure to hire me.
- ☒ Termination of my employment.
- ☒ Failure to promote me.
- ☒ Failure to accommodate my disability.
- ☐ Unequal terms and conditions of my employment.
- ☒ Retaliation.
- ☐ Other acts *(specify)*: _____

(Note: Only those grounds raised in the charge filed with the Equal Employment Opportunity Commission can be considered by the federal district court under the federal employment discrimination statutes.)

B. It is my best recollection that the alleged discriminatory acts occurred on date(s)
05-08-2019 - 12-02-2019; 12-02-2019 - 01-29-2021;

C. I believe that defendant(s) *(check one)*:

- ☒ is/are still committing these acts against me.
- ☐ is/are not still committing these acts against me.

D. Defendant(s) discriminated against me based on my *(check all that apply and explain)*:

- ☒ race African-American
- ☒ color Black
- ☐ gender/sex _____
- ☐ religion _____
- ☐ national origin _____
- ☐ age *(year of birth)* _____ *(only when asserting a claim of age discrimination.)*
- ☒ disability or perceived disability *(specify disability)*
Bona fide hard of hearing medical disability.

E. The facts of my case are as follows. Attach additional pages if needed.

[Please See Attached Official EEOC Charging Documents]

(Note: As additional support for the facts of your claim, you may attach to this complaint a copy of your charge filed with the Equal Employment Opportunity Commission, or the charge filed with the relevant state or city human rights division.)

IV. Exhaustion of Federal Administrative Remedies

- A. It is my best recollection that I filed a charge with the Equal Employment Opportunity Commission or my Equal Employment Opportunity counselor regarding the defendant's alleged discriminatory conduct on *(date)*

04/13/2020 @ 5:10PM

- B. The Equal Employment Opportunity Commission *(check one)*:

☐

has not issued a Notice of Right to Sue letter.

☒

issued a Notice of Right to Sue letter, which I received on *(date)* 10/29/2020 .

(Note: Attach a copy of the Notice of Right to Sue letter from the Equal Employment Opportunity Commission to this complaint.)

- C. Only litigants alleging age discrimination must answer this question.

Since filing my charge of age discrimination with the Equal Employment Opportunity Commission regarding the defendant's alleged discriminatory conduct *(check one)*:

☐

60 days or more have elapsed.

☐

less than 60 days have elapsed.

V. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

In the interests of common-sense, fairness, justice, judicial economy and judicial cognizance. Plaintiff, Vaden Anderson prayerfully seeks Injunctive relief, Declaratory relief and/or any other relief ordered Sua Sponte.

Largely, due to Amazon's own economy, size, and scope of its operations. It is my firm belief, the factual wrongs alleged are continuing at the present time and will continue without court and Judicial intervention.

Plaintiff, Vaden Anderson ONLY claims rights to work in the United States.

Because of the egregious actions of the defendants factual wrongs alleged. Forward-looking, Vaden Anderson is entitled to back pay, front pay, restored benefits, attorney's fees, reasonable accommodation, reinstatement, and job offers. Based upon his provable internal quality of work metrics at 99 percent before being wrongfully terminated by defendants at Amazon.com, LLC, Amazon.com, Inc, and Golden State FC, LLC.

VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 1/28/2021

Signature of Plaintiff


/s/ Vaden Anderson

Printed Name of Plaintiff

Vaden Anderson

B. For Attorneys

Date of signing: _____

Signature of Attorney _____

Printed Name of Attorney _____

Bar Number _____

Name of Law Firm _____

Street Address _____

State and Zip Code _____

Pro Se 7 (Rev. 12/16) Complaint for Employment Discrimination

Telephone Number (678) 429-3476

E-mail Address vaden.anderson@morehouse.edu

PLAINTIFFS

EXHIBIT A



Recipient Profile



AMAZON.COM, INC.

Also known by 5 other names ▶

PARENT RECIPIENT View child recipients ▶

Total Awarded Amount

\$47.5 Million

from 81 transactions

Face Value of Loans ⓘ

\$0

from 0 transactions

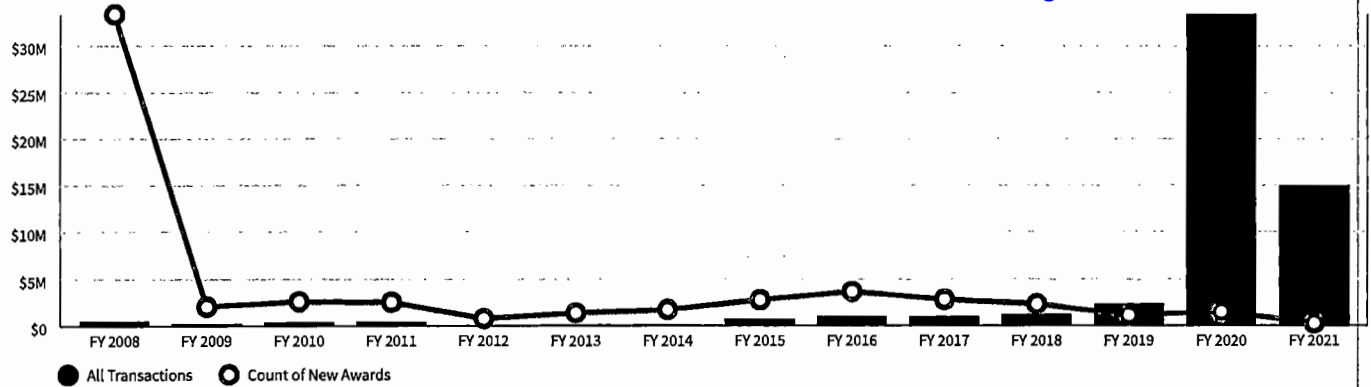
Details

DUNS	884745530
Address	410 TERRY AVE N SEATTLE, WA UNITED STATES 5210 Congressional District: WA-07
Business Types	Business Other Than Small Business Special Designations U.S. Owned Business

Transactions Over Time

This graph shows trends over time for all transactions to this recipient. Hover over the bars for more detailed information.

YearsQuarterMonth



Top 5

The set of tables below provide a summary of awards to this recipient through multiple angles. To see more than the top 5, you can visit our [Advanced Search](#) page.

Awarding Agencies

Name	Awarded Amount	% of Total
1. Department of Defense (DOD)	\$17.29M	36.37%
2. Department of Veterans Affairs (VA)	\$15.04M	31.64%
3. Department of Homeland Security (DHS)	\$12.71M	26.74%
4. Department of the Treasury (TREAS)	\$1.54M	3.23%
5. National Gallery of Art (NGA)	\$351,520	0.74%

Awarding Sub-Agencies

Name	Awarded Amount	% of Total
1. Department of Veterans Affairs (VA)	\$15.04M	31.64%
2. Federal Emergency Management Agency (FEMA)	\$12.71M	26.74%
3. Department of the Army (USA)	\$8.52M	17.93%
4. Department of the Navy (USN)	\$6.78M	14.26%
5. Internal Revenue Service (IRS)	\$1.54M	3.23%

Federal Accounts

Coming Soon

CFDA Programs

No Data Available

NAICS Codes

Name	Awarded Amount	% of Total
1. 518210 - Data Processing, Hosting, and Related Services	\$19.60M	41.22%
2. 339113 - Surgical Appliance and Supplies Manufacturing	\$15.11M	31.78%
3. 454110 - Electronic Shopping and Mail Order Commerce	\$12.71M	26.74%
4. 333413 - Industrial and Commercial Machinery and Equipment Manufacturing	\$43,577	0.09%
5. 334112 - Computer Storage Device Manufacturing	\$27,779	0.06%

Product Service Codes

Name	Awarded Amount	% of Total
1. 6515 - MEDICAL AND SURGICAL INSTRUMENTS	\$27.83M	58.53%
2. D305 - IT AND TELECOM - TELEPHONE	\$13.11M	27.58%
3. 7030 - INFORMATION TECHNOLOGY	\$4.36M	9.16%
4. D315 - IT AND TELECOM- DIGITIZING	\$1.54M	3.23%
5. D319 - IT AND TELECOM- ANNUAL SUBSCRIPTIONS	\$300,955	0.63%

Countries

Name	Awarded Amount	% of Total
------	----------------	------------

U.S. States or Territories

Name	Awarded Amount	% of Total
------	----------------	------------

United States			Washington		
Name	Awarded Amount	% of Total	Name	Awarded Amount	% of Total
2. Senegal	-\$322	0%	2. Alabama	\$15.00M	31.55%
3. Germany	-\$19,193	-0.04%	3. Virginia	\$5.48M	11.52%
			4. California	\$3.00M	6.31%
			5. District Of Columbia	\$679,855	1.43%

Note: This data is based on Primary Place of Performance.

Note: This data is based on Primary Place of Performance.

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**U.S. Equal Employment Opportunity Commission
Fresno Local Office**

2500 Tulare Street
Suite 2601
Fresno, CA 93721
(559) 487-5797
TDD: 1-800-669-6820
Fax: (559) 487-5053
1-800-669-4000

Respondent: GOLDEN STATE FC, LLC/ AMAZON
EEOC Charge No.: 551-2020-01056
FEPA Charge No.:

April 15, 2020

Vaden Anderson
1525 E. Greenwich
Suite 230
Fresno, CA 93720

Dear Mr. Anderson:

This is to acknowledge receipt of the above-numbered charge of employment discrimination against the above-named respondent. Please use the "EEOC Charge No." listed above whenever you call us about this charge. The information provided indicates that the charge is subject to:

- | | |
|-------------------------------------|---|
| <input checked="" type="checkbox"/> | Title VII of the Civil Rights Act of 1964 (Title VII) |
| <input type="checkbox"/> | The Age Discrimination in Employment Act (ADEA) |
| <input checked="" type="checkbox"/> | The Americans with Disabilities Act (ADA) |
| <input type="checkbox"/> | The Equal Pay Act (EPA) |
| <input type="checkbox"/> | The Genetic Information Nondiscrimination Act (GINA) |

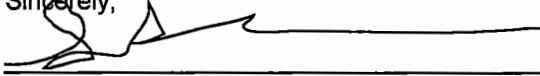
You need do nothing further at this time. We will contact you when we need more information or assistance. A copy of the charge or notice of the charge will be sent to the respondent within 10 days of our receipt of the charge as required by our procedures.

Please be aware that we will send a copy of the charge to California Department Of Fair Employment & Housing 2218 Kausen Drive Suite 100 Elk Grove, CA 95758 as required by our procedures. If the charge is processed by that agency, it may require the charge to be signed before a notary public or an agency official. Then the agency will investigate and resolve the charge under their statute. If this occurs, section 1601.76 of EEOC's regulations entitles you to ask us to perform a Substantial Weight Review of the agency's final finding. To obtain this review, a written request must be made to this office within 15 days of receipt of the agency's final finding in the case. Otherwise, we will generally adopt the agency's finding as EEOC's.

The quickest and most convenient way to obtain the contact information and the status of your charge is to use EEOC's Online Charge Status System, which is available 24/7. You can access the system via this link (<https://publicportal.eeoc.gov/portal>) or by selecting the "My Charge Status" button on EEOC's Homepage (www.eeoc.gov). To sign in, enter your EEOC charge number, your zip code and the security response. An informational brochure is enclosed that provides more information about this system and its features.

While your charge is pending, please notify us of any change in your address, or where you can be reached if you have any prolonged absence from home. Your cooperation in this matter is essential.

Sincerely,



Stefan Paredes
Investigator Support Asst
(559) 487-5797

Office Hours: Monday – Friday, 8:30 a.m. - 5:00 p.m.
www.eeoc.gov

Enclosure(s):

EEOC Form 5 (11/09)

CHARGE OF DISCRIMINATION This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.		Charge Presented To: Agency(ies) Charge No(s): <input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC 551-2020-01056	
CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT & HOUSING and EEOC <i>State or local Agency, if any</i>			
Name (indicate Mr., Ms., Mrs.) MR. VADEN ANDERSON		Home Phone (707) 877-6656	Year of Birth 1980
Street Address City, State and ZIP Code 1525 E. GREENWICH, SUITE 230, FRESNO, CA 93720			
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)			
Name GOLDEN STATE FC, LLC		No. Employees, Members 501+	Phone No. (559) 721-4498
Street Address City, State and ZIP Code DBA AMAZON, 3575 S ORANGE AVE, FRESNO, CA 93725			
Name		No. Employees, Members	Phone No.
Street Address City, State and ZIP Code			
DISCRIMINATION BASED ON (Check appropriate box(es).) <input checked="" type="checkbox"/> RACE <input type="checkbox"/> COLOR <input type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input type="checkbox"/> NATIONAL ORIGIN <input checked="" type="checkbox"/> RETALIATION <input type="checkbox"/> AGE <input checked="" type="checkbox"/> DISABILITY <input type="checkbox"/> GENETIC INFORMATION <input type="checkbox"/> OTHER (Specify)		DATE(S) DISCRIMINATION TOOK PLACE Earliest Latest 05-08-2019 12-02-2019 <input type="checkbox"/> CONTINUING ACTION	
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)): I. I was hired on or about May 2017 as an IT Equipment Operator. My supervisor was Daniel Buchino. Prior to working for the company I developed a medical condition and sought treatment. On or about Jan. 2019, I participated in an internal discrimination complaint filed by another employee. On or about May, 2019 I submitted a workplace accommodation request. My request was denied. I was not engaged in the interactive process. I then appealed to Corporate HR and my request was eventually approved. Then, from approximately May 17, 2019 through Sept. 15, 2019, I took a leave of absence due to my medical condition. Upon my return to work, I was told that I was lucky to still have a job considering most employees who take long leaves of absence do not return to the company. Thereafter, I had my training cut short. On or about Dec. 2, 2019, I was discharged. II. I was told that I was discharged for violating company policy. No other reason was given to me for the treatment. III. I believe that I have been denied reasonable accommodation, denied training, harassed, and was			
I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures. I declare under penalty of perjury that the above is true and correct.		NOTARY - When necessary for State and Local Agency Requirements I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)	
Digitally signed by Vaden Anderson on 04-13-2020 05:10 PM EDT			

EEOC Form 5 (11/09)

CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented To:

Agency(ies) Charge
No(s):☐

FEPA

☒

EEOC

551-2020-01056**CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT & HOUSING**

and EEOC

State or local Agency, if any

discharged in retaliation for opposing discrimination and because of my disability, record of disability, and/or perceived disability, in violation of the Americans with Disabilities Act of 1964, as amended. I believe I was denied training and was discharged in retaliation for opposing discrimination and because of my Race, Black, in violation of Title VII of the Civil Rights Act of 1964, as amended.

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

I declare under penalty of perjury that the above is true and correct.

**Digitally signed by Vaden Anderson on 04-13-2020 05:10
PM EDT**

NOTARY - *When necessary for State and Local Agency Requirements*

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE
(month, day, year)

CP Enclosure with EEOC Form 5 (11/09)

PRIVACY ACT STATEMENT: Under the Privacy Act of 1974, Pub. Law 93-579, authority to request personal data and its uses are:

1. FORM NUMBER/TITLE/DATE. EEOC Form 5, Charge of Discrimination (11/09).

2. AUTHORITY. 42 U.S.C. 2000e-5(b), 29 U.S.C. 211, 29 U.S.C. 626, 42 U.S.C. 12117, 42 U.S.C. 2000ff-6.

3. PRINCIPAL PURPOSES. The purposes of a charge, taken on this form or otherwise reduced to writing (whether later recorded on this form or not) are, as applicable under the EEOC anti-discrimination statutes (EEOC statutes), to preserve private suit rights under the EEOC statutes, to invoke the EEOC's jurisdiction and, where dual-filing or referral arrangements exist, to begin state or local proceedings.

4. ROUTINE USES. This form is used to provide facts that may establish the existence of matters covered by the EEOC statutes (and as applicable, other federal, state or local laws). Information given will be used by staff to guide its mediation and investigation efforts and, as applicable, to determine, conciliate and litigate claims of unlawful discrimination. This form may be presented to or disclosed to other federal, state or local agencies as appropriate or necessary in carrying out EEOC's functions. A copy of this charge will ordinarily be sent to the respondent organization against which the charge is made.

5. WHETHER DISCLOSURE IS MANDATORY; EFFECT OF NOT GIVING INFORMATION. Charges must be reduced to writing and should identify the charging and responding parties and the actions or policies complained of. Without a written charge, EEOC will ordinarily not act on the complaint. Charges under Title VII, the ADA or GINA must be sworn to or affirmed (either by using this form or by presenting a notarized statement or unsworn declaration under penalty of perjury); charges under the ADEA should ordinarily be signed. Charges may be clarified or amplified later by amendment. It is not mandatory that this form be used to make a charge.

NOTICE OF RIGHT TO REQUEST SUBSTANTIAL WEIGHT REVIEW

Charges filed at a state or local Fair Employment Practices Agency (FEPA) that dual-files charges with EEOC will ordinarily be handled first by the FEPA. Some charges filed at EEOC may also be first handled by a FEPA under worksharing agreements. You will be told which agency will handle your charge. When the FEPA is the first to handle the charge, it will notify you of its final resolution of the matter. Then, if you wish EEOC to give Substantial Weight Review to the FEPA's final findings, you must ask us in writing to do so within 15 days of your receipt of its findings. Otherwise, we will ordinarily adopt the FEPA's finding and close our file on the charge.

NOTICE OF NON-RETALIATION REQUIREMENTS

Please **notify** EEOC or the state or local agency where you filed your charge **if retaliation is taken against you or others** who oppose discrimination or cooperate in any investigation or lawsuit concerning this charge. Under Section 704(a) of Title VII, Section 4(d) of the ADEA, Section 503(a) of the ADA and Section 207(f) of GINA, it is unlawful for an *employer* to discriminate against present or former employees or job applicants, for an *employment agency* to discriminate against anyone, or for a *union* to discriminate against its members or membership applicants, because they have opposed any practice made unlawful by the statutes, or because they have made a charge, testified, assisted, or participated in any manner in an investigation,

proceeding, or hearing under the laws. The Equal Pay Act has similar provisions and Section 503(b) of the ADA prohibits coercion, intimidation, threats or interference with anyone for exercising or enjoying, or aiding or encouraging others in their exercise or enjoyment of, rights under the Act.

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: **Vaden Anderson**
1525 E. Greenwich
Suite 230
Fresno, CA 93720

From: **Fresno Local Office**
2500 Tulare Street
Suite 2601
Fresno, CA 93721



On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

551-2020-01056

Michael A. Kerr,
Investigator

(559) 487-5035

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:



The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.



Your allegations did not involve a disability as defined by the Americans With Disabilities Act.



The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.



Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge.



The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.



The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.



Other (briefly state)

- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit must be filed **WITHIN 90 DAYS** of your receipt of this notice; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission

Melissa Barrios

Digitally signed by Melissa Barrios
 DN: cn=Melissa Barrios, o=Fresno Local Office,
 ou=U.S. EEOC, email=melissa.barrios@eEOC.gov, c=US
 Date: 2020.08.11 14:55:19 -0700

8/11/2020

Enclosures(s)

Melissa Barrios,
Director

(Date Mailed)

cc: **Neil M. Alexander**
Shareholder
AMAZON.COM, INC.
2301 McGee Street, Suite 800
c/o Littler Mendelson, P.C. - GSC (LCS)
Kansas City, MO 64108

**INFORMATION RELATED TO FILING SUIT
UNDER THE LAWS ENFORCED BY THE EEOC**

*(This information relates to filing suit in Federal or State court under Federal law.
If you also plan to sue claiming violations of State law, please be aware that time limits and other
provisions of State law may be shorter or more limited than those described below.)*

**PRIVATE SUIT RIGHTS -- Title VII of the Civil Rights Act, the Americans with Disabilities Act (ADA),
the Genetic Information Nondiscrimination Act (GINA), or the Age
Discrimination in Employment Act (ADEA):**

In order to pursue this matter further, you must file a lawsuit against the respondent(s) named in the charge **within 90 days of the date you receive this Notice**. Therefore, you should **keep a record of this date**. Once this 90-day period is over, your right to sue based on the charge referred to in this Notice will be lost. If you intend to consult an attorney, you should do so promptly. Give your attorney a copy of this Notice, and its envelope, and tell him or her the date you received it. Furthermore, in order to avoid any question that you did not act in a timely manner, it is prudent that your suit be filed **within 90 days of the date this Notice was mailed to you** (as indicated where the Notice is signed) or the date of the postmark, if later.

Your lawsuit may be filed in U.S. District Court or a State court of competent jurisdiction. (Usually, the appropriate State court is the general civil trial court.) Whether you file in Federal or State court is a matter for you to decide after talking to your attorney. Filing this Notice is not enough. You must file a "complaint" that contains a short statement of the facts of your case which shows that you are entitled to relief. Courts often require that a copy of your charge must be attached to the complaint you file in court. If so, you should remove your birth date from the charge. Some courts will not accept your complaint where the charge includes a date of birth. Your suit may include any matter alleged in the charge or, to the extent permitted by court decisions, matters like or related to the matters alleged in the charge. Generally, suits are brought in the State where the alleged unlawful practice occurred, but in some cases can be brought where relevant employment records are kept, where the employment would have been, or where the respondent has its main office. If you have simple questions, you usually can get answers from the office of the clerk of the court where you are bringing suit, but do not expect that office to write your complaint or make legal strategy decisions for you.

PRIVATE SUIT RIGHTS -- Equal Pay Act (EPA):

EPA suits must be filed in court within 2 years (3 years for willful violations) of the alleged EPA underpayment: back pay due for violations that occurred **more than 2 years (3 years) before you file suit** may not be collectible. For example, if you were underpaid under the EPA for work performed from 7/1/08 to 12/1/08, you should file suit **before 7/1/10 – not 12/1/10** – in order to recover unpaid wages due for July 2008. This time limit for filing an EPA suit is separate from the 90-day filing period under Title VII, the ADA, GINA or the ADEA referred to above. Therefore, if you also plan to sue under Title VII, the ADA, GINA or the ADEA, in addition to suing on the EPA claim, suit must be filed within 90 days of this Notice and within the 2- or 3-year EPA back pay recovery period.

ATTORNEY REPRESENTATION -- Title VII, the ADA or GINA:

If you cannot afford or have been unable to obtain a lawyer to represent you, the U.S. District Court having jurisdiction in your case may, in limited circumstances, assist you in obtaining a lawyer. Requests for such assistance must be made to the U.S. District Court in the form and manner it requires (you should be prepared to explain in detail your efforts to retain an attorney). Requests should be made well before the end of the 90-day period mentioned above, because such requests do not relieve you of the requirement to bring suit within 90 days.

ATTORNEY REFERRAL AND EEOC ASSISTANCE -- All Statutes:

You may contact the EEOC representative shown on your Notice if you need help in finding a lawyer or if you have any questions about your legal rights, including advice on which U.S. District Court can hear your case. If you need to inspect or obtain a copy of information in EEOC's file on the charge, please request it promptly in writing and provide your charge number (as shown on your Notice). While EEOC destroys charge files after a certain time, all charge files are kept for at least 6 months after our last action on the case. Therefore, if you file suit and want to review the charge file, **please make your review request within 6 months of this Notice**. (Before filing suit, any request should be made within the next 90 days.)

IF YOU FILE SUIT, PLEASE SEND A COPY OF YOUR COURT COMPLAINT TO THIS OFFICE.

NOTICE OF RIGHTS UNDER THE ADA AMENDMENTS ACT OF 2008 (ADAAA): The ADA was amended, effective January 1, 2009, to broaden the definitions of disability to make it easier for individuals to be covered under the ADA/ADAAA. A disability is still defined as (1) a physical or mental impairment that substantially limits one or more major life activities (actual disability); (2) a record of a substantially limiting impairment; or (3) being regarded as having a disability. *However, these terms are redefined, and it is easier to be covered under the new law.*

If you plan to retain an attorney to assist you with your ADA claim, we recommend that you share this information with your attorney and suggest that he or she consult the amended regulations and appendix, and other ADA related publications, available at http://www.eeoc.gov/laws/types/disability_regulations.cfm.

“Actual” disability or a “record of” a disability (note: if you are pursuing a failure to accommodate claim you must meet the standards for either “actual” or “record of” a disability):

- **The limitations from the impairment no longer have to be severe or significant for the impairment to be considered substantially limiting.**
- **In addition to activities such as performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, thinking, concentrating, reading, bending, and communicating (more examples at 29 C.F.R. § 1630.2(i)), “major life activities” now include the operation of major bodily functions, such as: functions of the immune system, special sense organs and skin; normal cell growth; and digestive, genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, cardiovascular, endocrine, hemic, lymphatic, musculoskeletal, and reproductive functions; or the operation of an individual organ within a body system.**
- **Only one major life activity need be substantially limited.**
- **With the exception of ordinary eyeglasses or contact lenses, the beneficial effects of “mitigating measures” (e.g., hearing aid, prosthesis, medication, therapy, behavioral modifications) are not considered in determining if the impairment substantially limits a major life activity.**
- **An impairment that is “episodic” (e.g., epilepsy, depression, multiple sclerosis) or “in remission” (e.g., cancer) is a disability if it would be substantially limiting when active.**
- **An impairment may be substantially limiting even though it lasts or is expected to last fewer than six months.**

“Regarded as” coverage:

- **An individual can meet the definition of disability if an employment action was taken because of an actual or perceived impairment (e.g., refusal to hire, demotion, placement on involuntary leave, termination, exclusion for failure to meet a qualification standard, harassment, or denial of any other term, condition, or privilege of employment).**
- **“Regarded as” coverage under the ADAAA no longer requires that an impairment be substantially limiting, or that the employer perceives the impairment to be substantially limiting.**
- **The employer has a defense against a “regarded as” claim only when the impairment at issue is objectively BOTH transitory (lasting or expected to last six months or less) AND minor.**
- **A person is not able to bring a failure to accommodate claim if the individual is covered only under the “regarded as” definition of “disability.”**

Note: Although the amended ADA states that the definition of disability “shall be construed broadly” and “should not demand extensive analysis,” some courts require specificity in the complaint explaining how an impairment substantially limits a major life activity or what facts indicate the challenged employment action was because of the impairment. Beyond the initial pleading stage, some courts will require specific evidence to establish disability. For more information, consult the amended regulations and appendix, as well as explanatory publications, available at http://www.eeoc.gov/laws/types/disability_regulations.cfm.



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Fresno Local Office

Robert E. Coyle Federal Courthouse
2500 Tulare Street, Suite 2601
Fresno, CA 93721
Intake Information Group: (800) 669-4000
Intake Information Group TTY: (800) 669-6820
Fresno Direct Dial: (559) 487-5797
FAX (559) 487-5053
Website: www.eeoc.gov

October 29, 2020

Mr. Vaden Anderson
1525 E Greenwich Suite 230
Fresno, CA 93720

RE: EEOC Charge No. 551-2020-01056

Mr. Anderson:

This letter is in response to your call earlier today regarding your request that the Commission re-issue you a Right to Sue in the above referenced matter.

On August 11, 2020, the Commission issued you a Notice of Dismissal, Right to Sue (Form 161). The Right to Sue was issued following an intake interview where it was determined, based on the information you provided, that no further investigation was warranted. Earlier today, you spoke with Commission staff member, Stefan Paredes, who verified your address. The address you provided was the same address where we sent the Right to Sue on August 11, 2020.

The Commission will not issue you an updated Right to Sue with a current date as you requested. I have attached a copy of the Right to Sue we issued for your convenience.

It is important to note if a private lawsuit is not filed within 90 days of receipt of the notice of right to sue, the right to sue for the charge will be lost and cannot be restored by the EEOC. Additionally, the 90-day time to file cannot be extended by the Commission.

I hope this information is helpful to you.

On Behalf of the Commission,

Melissa Barrios
Digitally signed by Melissa Barrios
DN: cn=Melissa Barrios, o=Fresno Local
Office, ou=U.S. EEOC,
email=melissa.barrios@eeoc.gov, c=US
Date: 2020.10.29 14:55:12 -0700

MELISSA BARRIOS
Local Director

PLAINTIFFS

EXHIBIT B

Vaden S Anderson

From: MyDocs-noreply <MyDocs-noreply@onbaseonline.com>
Sent: Thursday, December 5, 2019 4:10 PM
To: Vaden S Anderson
Subject: Termination Documents are Available for Review
Attachments: Termination Letter - Employee ID 102159869 - Anderson, Vaden.pdf

Dear Vaden,

Please review your termination letter attached to this email. Your termination and employment documents are available for review on the MyDocs portal for 90 calendar days after the end of your employment. To access the MyDocs portal, navigate to https://linkprotect.cudasvc.com/url?a=https%3a%2f%2famazon.onbaseonline.com&c=E,1,6PsTZAd-hOBhhAZKQezjnfVQ6rkxV9AkVnlunsujHT_q6t4-160jTToR4N7UEiVhBsMoeBS3hKpoJY708z3u9u6jJW-y4Ds8P_VmMLcL07tMQZs,&typo=1 and input your personal email address and password.

Thank you,

Amazon Human Resources



12/3/2019

Vaden Anderson
1525 E Greenwich Suite 230
Fresno, CA 93720

Dear Vaden (EEID: 102159869):

This letter confirms that the date of involuntary termination of your employment with Amazon.com Services, Inc. is December 4, 2019.

You have executed a Confidentiality and Invention Assignment Agreement with the Company. You are reminded that certain provisions of the agreement survive the termination of your employment with the Company and remain in full force and effect. Your agreement is available for review in the MyDocs portal for 90 calendar days after the end of your employment.

We wish you the best in your future endeavors.

Sincerely,
Amazon Human Resources



PLAINTIFFS

EXHIBIT C



FRESNO CA 93720

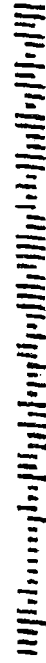
29 OCT 2020 PM 1

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
2500 Tulare Street, Suite 2601
Fresno, CA 93721

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE \$300

Vaden Anderson
1525 E. Greenwich
Suite 230
Fresno, CA 93720

93720-494455



PLAINTIFFS

EXHIBIT D



November 3, 2020

Mr. Vaden Anderson
1525 E Greenwich Ave Apt #230
Fresno, CA 93720

To Whom It May Concern:

Mr. Anderson was out of town for an extended period of time during the past 3 months. During this time, Mr. Anderson's mail accumulated in his box. Eventually, there was an overflow, and some of the mail could have been returned to the sender. Mr. Anderson is missing a couple of valuable pieces of mail during his extended hiatus.

As a precaution, management offered to change Mr. Anderson's lock in case there were other keys not accounted for. Since the lock, change the customer has received all of his mail.

Should you have any questions or concerns, please do not hesitate to call.

Sincerely,

A handwritten signature in black ink, appearing to read "Jon R. Losievski", with a long horizontal stroke extending to the right.

Jon R. Losievski
Supervisor, Customer Services
Woodward Park Station
755 E Nees Ave
Fresno, CA 93720
(559) 440-4273

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10



Mr. Vaden Anderson

EP-51